

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

KENNETH ALTIZIO,

Plaintiff,

-against-

MARRIOTT INTERNATIONAL, INC.,

Defendant.

S I R S :

07 CV Docket No. 6663

NOTICE OF REMOVAL
JUDGE BRIEANT

FILED
U.S. DISTRICT COURT
2007 JUL 24 PM 1:01
S.D. OF N.Y.

Defendant, MARRIOTT INTERNATIONAL, INC. in the above-captioned action, which was commenced in the Supreme Court of the State of New York for the County of Putnam, gives notice that it is removing this action from the Supreme Court of the State of New York, County of Putnam, to this Court pursuant to 28 U.S.C. §1441.

1. A civil action has been commenced and is now pending against defendant in the Supreme Court of the State of New York, County of New York, which action is entitled Kenneth Altizio against Marriott International, Inc., bearing Index Number 921/07.

2. On or about June 27, 2007 defendant, MARRIOTT INTERNATIONAL, INC., received a Summons and Complaint, a copy of which is attached hereto as Exhibit "1." This document constitutes copies of all initial process, pleadings and other papers served upon such defendants in this action.

3. The above-described action is a civil action of which this Court has original jurisdiction under 28 U.S.C. §1332 and is one which may be removed to this Court by defendants under 28 U.S.C. §1332 and 28 U.S.C. §1441 in that:

- a. Upon information and belief, plaintiff is a citizen and resident of the County of Putnam, State of New York.

- b. Defendant, MARRIOTT INTERNATIONAL, INC., is incorporated in the State of Delaware with its principal place of business in Maryland.
- c. Upon information and belief, the amount in controversy herein exceeds \$75,000 exclusive of interest and costs.
- d. Initial pleadings in this matter were received by defendant, MARRIOTT INTERNATIONAL, INC., on July 27, 2007.
- e. The incident in question took place in Nashua, New Hampshire.


4. Accordingly, the parties are of diverse citizenship, the amount in controversy exceeds \$75,000 exclusive of interest and costs, and Federal jurisdiction is appropriate pursuant to U.S.C. §1332.

WHEREFORE, the defendant, MARRIOTT INTERNATIONAL, INC., gives notice that the above-captioned action now pending against him in the Supreme Court of the State of New York for the County of Putnam is removed to this Court.

Dated: New York, NY
July 19, 2007

GARBARINI & SCHER, P.C.

By:


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